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09/920,170	08/01/2001	Yasushi Fujinami	450100-03402	5295

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EXAMINER	
VAN HANDEL, MICHAEL P	
ART UNIT	**PAPER NUMBER**
2617	

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/920,170	FUJINAMI, YASUSHI	
	Examiner	Art Unit	
	Michael Van Handel	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-12 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-12 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-8, 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Hill.

Referring to claim 1, Hill discloses an image processing apparatus 102 (digital network environment)(col. 3, l. 27-28)(Fig. 1), comprising:

- a reception section 104 (workstation)(col. 3, l. 28-32)(Fig. 1) for receiving image data transmitted thereto from a transmission apparatus 122 (source)(col. 3, l. 49-56)(Fig. 1) through a predetermined transmission line 126, 128 (audio track and video track)(col. 4, l. 44-45)(Fig. 1)
- a storage section (local digital memory) having a storage capacity for a plurality of screens or more for storing the image data received by said reception section (col. 4, l. 7-11);
- and a control section 114 (control unit) for issuing a request for image data of screens within a predetermined range with reference to a noticed screen (col. 5, l. 9-15, 23-43, 48-67)(col. 6, l. 1-10, 13-16)(col. 7, l. 45-50)(col. 8, l. 1-3, 10-17) to said transmission apparatus and controlling a display apparatus to display the image data stored in said storage section (col. 3, l. 32-36, 65-67)(col. 4, l. 1-6)

Referring to claim 3, Hill discloses an image processing apparatus 102 according to claim 1, wherein said control section 114 requests said transmission apparatus 122 for those of the image data of the screens within the predetermined range which are not stored in said storage section (col. 5, l. 23-34, 48-51)(col. 8, l. 10-17)(col. 10, l. 26-36)(Figs. 1, 3, 5B, 5D).

Referring to claim 4, Hill discloses an image processing apparatus 102 according to claim 3, further comprising a management information storage section 114, 118 for storing, for each screen, management information of whether or not the image data of the screen are stored in said storage section (col. 5, l. 66-67)(col. 6, l. 1-4), and wherein said control section 114 recognizes, based on the management information, those of the image data of the screens within the predetermined range which are not stored in said storage section (col. 10, l. 26-36)(Figs. 1, 5D).

Referring to claim 5, Hill discloses an image processing apparatus 102 according to claim 1, wherein said control section 114 requests said transmission apparatus 122 for the image data of the screens within the predetermined range in accordance with a predetermined priority order (col. 9, l. 45-65).

Referring to claim 6, Hill discloses an image processing apparatus 102 according to claim 5, further comprising an inputting section 124 (col. 3, l. 29-36)(Fig. 1) for inputting an instruction of a playback method of the image data, and wherein said control section 114 sets the predetermined range in accordance with the playback method of the image data (col. 3, l. 57-62)(col. 10, l. 14-19, 26-36)(Figs. 1, 5C, 5D).

Referring to claim 7, Hill discloses an image processing apparatus 102 according to claim 1, wherein said control section 114 requests said transmission apparatus 122 for image data of a predetermined plurality of screens within the predetermined range (col. 10, l. 26-36)(Figs. 1,5D).

Referring to claim 8, Hill discloses an image processing apparatus 102 according to claim 7, further comprising an inputting section 124 for inputting an instruction of a playback method of the image data, and wherein said control section sets a predetermined plurality of screens within the predetermined range in accordance with the playback method of the image data (col. 10, l. 26-36)(Figs., 1, 5D).

Referring to claims 10 and 11, the examiner notes that the claims are the same, except that claim 11 refers to a recording medium on which a program executed by a computer is recorded. The examiner notes that this recording medium is the control unit 114, since it is responsible for the overall control of the system (col. 3, l. 57-58). Hill discloses an image processing method, comprising:

- a reception step 204 of receiving image data transmitted thereto from a transmission apparatus 122 through a predetermined transmission line 126, 128 (col. 4, l. 57-67) (Figs. 1, 2);
- a request step 208, 210 of requesting said transmission apparatus 122 for image data of screens within a predetermined range with reference to a noticed screen (col. 5, l. 4-12)(Figs. 1, 2);
- an image storage step of storing the image data of the screens within the predetermined range received by the reception step (col. 5, l. 12-15)(Figs. 1, 2);
- and a display control step 214, 204 of controlling a display apparatus to display the stored image data (col. 5, l. 16-21)(Figs. 1, 2).

Referring to claim 12, Hill discloses an image processing apparatus 102, comprising:

- a transmission apparatus 122 for playing back image data and transmitting the image data through a predetermined transmission line 126, 128 (col. 3, l. 48-56)(col. 4, l. 35-38)(Fig. 1); and
- a reception apparatus 104 for receiving the image data transmitted thereto from said transmission apparatus 122 through said transmission line 126, 128 (col. 3, l. 28-29)(col. 4, l. 35-37)(Fig. 1);
- said transmission apparatus 122 including a playback section playing back image data in response to a request from said reception apparatus (col. 5, l. 23-30)(Figs. 1, 3) and a transmission section for transmitting the played back image data to said reception apparatus through said predetermined transmission line (the examiner notes that a transmission section is necessary for transmission and is therefore inherent to the transmission apparatus 122)
- said reception apparatus 104 including a reception section for receiving the image data transmitted thereto from said transmission apparatus 122 through said predetermined transmission line 126, 128 (col. 3, l. 28-32)(Fig. 1), a storage section (local digital memory) having a storage capacity for a plurality of screens or more for storing the image data received by said reception section (col. 4, l. 7-11), and a display control section 114 (control unit) for issuing a request for image data of screens within a predetermined range with reference to a noticed screen (col. 5, l. 9-15, 23-43, 48-67)(col. 6, l. 1-10, 13-16)(col. 7, l. 45-50)(col. 8, l. 1-3, 10-17) to said transmission apparatus and controlling a display apparatus to display the image data stored in said storage section (col. 3, l. 32-36, 65-67)(col. 4, l. 1-6).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hill in view of Galensky et al.

Referring to claim 2, Hill discloses an image processing apparatus 102. Hill does not disclose an image processing apparatus with a transmission line that transmits the image data at a transfer rate higher than the lowest transfer rate necessary to play back the image data normally. Galensky et al. discloses a wireless multimedia player wherein data is transmitted over a wireless network 40 at the highest data rate possible over the wireless network at the point in time when the data stream is initiated to permit a microprocessor 82 of the device 80 to create a buffer (Figs. 1, 2)(col. 6, l. 1-10). It would have been obvious to anyone of ordinary skill in the art at the time that the invention was made to modify Hill to include a transmission line in which data is transferred at the highest data rate such as that taught by Galensky et al. in order to create a buffer for streaming media.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hill in view of Watkins et al.

Referring to claim 9, Hill discloses an image processing apparatus 102. Hill does not disclose an image processing apparatus with a transmission line that complies with the IEEE 1394 standard. Watkins et al. discloses a multimedia terminal 602, 608 connected to a server via

a high bandwidth channel 604 (col. 11, l. 45-58)(Fig. 6). Watkins et al. discloses that this channel could be IEEE 1394 (col. 12, l. 1-3). It would have been obvious to anyone of ordinary skill in the art at the time that the invention was made to modify Hill to include an IEEE 1394 transmission line such as that taught by Watkins et al. in order to allow for transfer of movie clips over a network channel having a capacity for more than 10 Mb/s (col. 11, l. 66-67).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Van Handel whose telephone number is 571.272.5968. The examiner can normally be reached on Monday-Friday, 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571.272.7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Van Handel
Examiner
Art Unit 2617

MVH

CHRIS KELLEY
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